REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1 and 3-9 are presently active in this case, Claims 6 and 7 having been amended by way of the present Amendment.

In the outstanding Official Action, Claims 1 and 3-9 were rejected under 35 U.S.C. 102(b) as being anticipated by Aikawa (U.S. Patent No. 5,906,237). For the reasons discussed below, the Applicants request the withdrawal of the anticipation rejection.

Claim 1 of the present application recites a two-block heat exchanger comprising, among other features, continuous refrigerant circulation spaces that are formed by abutting openings of adjacent refrigerant distribution parts, wherein each of the refrigerant circulation spaces has a closed end and an open end. Claim 3 recites a heat exchanger comprising, among other features, a first continuous inlet space having an open end and a closed end and a first continuous outlet space having an open end and a closed end, and a second continuous inlet space having an open end and a closed end and a second continuous outlet space having an open end and a closed end. Claim 6 of the present application has been amended to recite a heat exchanger comprising, among other features, a first continuous inlet space having an open end and a closed end. The Applicants submit that the Aikawa reference does not teach or suggest a continuous space having an open end and a closed end, as recited in Claims 1, 3, and 6 of the present application.

The Aikawa reference describes a heat exchanger having a plurality of heat-exchanging units. The heat exchanger includes a bypass passage to bypass at least one of the plurality of heat-exchanging units. The Official Action cites bypass passage BP_2 for the

teaching of a continuous space along one side of the bottom of the heat exchanger. The passage along the bottom that includes bypass passage BP_2 has an open end at communication hole 9d and an open end at communication hole 11d. In fact, each of two passages along the top of the heat exchanger and each of the two passages along the bottom of the heat exchanger have open ends at both ends thereof. Thus, fluid flowing through the heat exchanger could bypass all of the heat-exchanging units.

The heat exchanger described in the Aikawa reference does not describe or suggest a continuous space having an open end and a closed end, as recited in Claims 1, 3, and 6 of the present application. As discussed above, each of the passages, which are being cited for the continuous spaces of the present invention, have open ends at both ends thereof, thereby providing a significantly different structure than the present invention and a significantly different flow pattern.

In the Office Action, the Aikawa reference is indicated as anticipating each of Claims 1, 3, and 6. However, the Applicants note that a claim is anticipated only if each and every element as set forth in the claims is found, either expressly or inherently described, in a singe prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Since the Aikawa reference does not disclose all of the limitations recited in Claims 1, 3, and 6, then the Applicants respectfully request the withdrawal of the anticipation rejection. Thus, Claims 1, 3, and 6 are believed to be in condition for allowance.

Claims 4 and 5 are considered allowable for the reasons advanced for Claim 3 from which they depend.

Claims 7-9 are considered allowable for the reasons advanced for Claim 6 from which they depend.

Consequently, in view of the above discussion, it is respectfully submitted that the present application is in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully Submitted,

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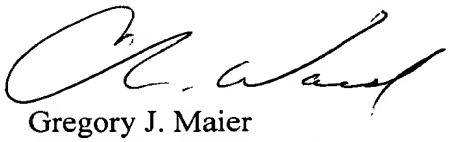

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